



WISCONSIN CATHOLIC CONFERENCE

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WCC BACKS GREATER ACCESS TO LEGAL SERVICES

By Barbara Sella

In recent testimony submitted to the Senate Committee on Judiciary, Corrections, and Housing, the Wisconsin Catholic Conference urged support for Senate Bill 321, which would grant additional funding to the State Public Defender's (SPD) office and require it to raise its income eligibility standards so that more low-income individuals may qualify for publicly funded attorneys.

Under state and federal law, any person accused of a felony or misdemeanor has the right to legal representation. When poor persons are unable to pay for their legal defense, the court must appoint a defense attorney, unless the defendant waives that right.

Because of the shortage of SPDs, judges are frequently obliged to assign a private bar attorney to the case, at almost twice the cost of a SPD—an expense which is then picked up by the counties and paid through property taxes.

If passed, Senate Bill 321 would permit the SPD to provide legal representation in about 15,400 additional cases per year.

Writing on behalf of the WCC, Associate Director Barbara Sella noted that in their 1999 work, *Public Safety, the Common Good, and the Church: A Statement on Crime and Punishment in Wisconsin*, Wisconsin's bishops recognized that our current judicial system leaves many defendants without access to impartial, independent and speedy justice, even when their life and liberty are at stake.

The statement went on to identify a number of principles to guide policies in the criminal justice system. One of these is that "Criminal justice policies and pastoral responses to crime must take special care to address and serve those with little or no money. Policies must ensure that justice is as accessible to victims and offenders who are poor as it is to those who are more affluent."

"The WCC supports SB 321 because the measure of all institutions is the degree to which they either enhance or threaten the life and dignity of every human being, and the degree to which they protect and empower the poorest and most vulnerable members of our society," Sella concluded.

The Committee has yet to take action on the bill.